

Proposed Zoning Ordinance Bath County, Virginia

JANUARY 1968 — AMENDED SEPTEMBER 13, 1973

BATH COUNTY PLANNING COMMISSION

areas, by act of the General Assembly of Virginia provided in Chapter 28, Article 8, Section 15.1-1 through 15.1-498, Code of Virginia and amendments thereto, the governing body of any county may ordinance, divide the territory under its jurisdiction into districts of such number, shape and area as they deem best suited to carry out the purposes of this article, and in each district it may regulate, regulate, permit, prohibit, and determine the following:

the use of land, buildings, structures and other structures for agricultural, commercial, industrial, residential, flood plane and other specific uses; the size, height, area, bulk, location, erection, reconstruction, alteration, repair, maintenance, razing, or removal of structures;

the areas and dimensions of land, water, and air to be occupied by buildings, structures and uses, yards, and other open spaces to be left unoccupied by uses and structures, including variations of lots based on whether

2-1-11 Off-street parking as required by this ordinance.

2-1-12 Accessory uses as defined

2-1-13 Business signs up to six (6) square feet, only to advertise the sale or rent of the premises upon which erected.

2-1-14 Church bulletin boards and identification signs.

2-1-15 Directional signs up to two (2) square feet.

2-1-16 Home occupation signs up to two (2) square feet.

2-1-17 Location signs up to forty (40) square feet unlighted.

2-2 AREA REGULATIONS
The minimum

3-1-16 Home occupations.

3-1-17 Mobile home park in accordance with additional use permit and provisions contained in Bath County trailer ordinance.

3-1-18 Public utility generating, booster or substations, transformer substations, transmission towers, pipes, meters and other facilities for the vision and maintenance of public utilities, railroads and facilities, and water and sewerage plants.

3-1-19 Off-street parking as required by this ordinance.

3-1-20 Accessory uses as defined, however, porches, and stoops, attached to the main building

... on Monterey's Main Street.

NOW THE HOME PAPER OF
HIGHLAND AND BATH
COUNTIES.
Formerly the Highland Recorder
ESTABLISHED 1877.

The Recorder



Monterey, Virginia 24465, Thursday, October 11, 1973

10¢ per Copy

Number 41

Bath Enacts Zoning Law by 3-2 Vote



Freddie Harold



Clarence F. McMullen



Billy D. Thorne



Lee Roy Vess Jr.

Ordinance Made Effective Sunday

WARM SPRINGS - Bath County's board of supervisors voted 3-2 Tuesday morning to adopt a zoning ordinance for the county.

Voting for the controversial ordinance were Chairman Roy M. Cleek, who represents Warm Springs District, and Supervisors Norman T. May Sr. of Cedar Creek District and Clarence F. McMullen of Valley Springs District. The negative votes were cast by Supervisors Stuart L. Hall of Williamsville District and Charles A. Lowman Jr. of Millboro District.

Prior to the landmark vote on zoning - which has been a hot issue since the county planning commission first presented its proposed ordinance to the supervisors in January 1968 - Hall and Lowman pressed for a referendum on the issue. However, they were outvoted 2-3, giving an indication of how the vote on the ordinance itself would go.

And following the vote, Hall and Lowman challenged the right of May and McMullen to vote on

Monterey Calf Sale Sets Record

MONTEREY - Area livestock

and \$57 to \$64 for those weighing 500 to 700 pounds, while

A total of 1,116 steers were sold.

Three-hundred-and-ninety-six

Candidates Seeking Bath

The



Recorder

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Or



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And following the vote, Hall and Lowman challenged the right of May and McMullen to vote on the ordinance, since they were members of the planning commission, which drafted it. This ushered in a dizzying sequence of events in which (1) McMullen resigned from the planning commission to avoid any possible conflicts, (2) the vote on the ordinance was rescinded, and (3) the zoning ordinance was readopted by the same 3-2 vote.

Also, Lowman challenged McMullen's eligibility to serve on the board of supervisors because of a possible conflict of interest arising out of McMullen's association with Home Oil, Co., Inc., which supplies fuel to the county.

But McMullen, who was appointed by Circuit Judge-designate Harold Sinclair in June to fill the vacancy created by the resignation of John M. Trimble

(Continued on Page 3)



"Easy credit is what makes people uneasy later."

le Sets Record

...weigh-
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\$30 to 500
\$62.50 for
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...rs brought
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for \$54 to
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A total of 1,116 steers were sold.

Three-hundred-and ninety-six-choice heifers brought \$50 to \$55.25, while 219 good-grade heifers sold for \$48.75 to \$54.75 for 300 to 500 pounders and \$51 and \$52.50 for 500 to 650 pounders. Forty-six medium grade heifers brought \$40 to \$44.75, and 25 short heifers sold for \$42.75 to \$44.25.

Injured in Truck Wreck

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- injured in a
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of Mrs. Hazel Thompson of Franklin.

He was a member of Union Chapel United Methodist Church near Hightown, Va.

Surviving besides his mother are his wife, Mrs. Inez Farmer Grogg; three sisters, Mrs. Juanita Wolford of Harman, and Mrs. Betty Waggy and Mrs. Trudy Cooper, both of Franklin, and three brothers, Emory Grogg of Franklin and William Grogg and Blair Thompson, both of Harrisonburg.

The funeral was held Wednesday at 2 p.m. from the Church of God of Prophecy by the Rev. Glen Adkins. Burial was in Union Chapel Cemetery.

pallbearers were Phillip and Jack Harold, Budger Wimer and Eric Hetherman.

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BATH ENACTS ZONING (Continued from Page 1)

and who is serving in this capacity until after the Nov. 6 special election to determine a permanent successor, said he would like to see proof of any conflict on his part. He said he abstains from any discussion and decision on transactions between the county and Home Oil.

The ordinance, which becomes effective at 12:01 a.m. Sunday, Oct. 14, would divide the county into five districts - agricultural limited, agricultural general, residential, business and industrial. More than 90 per cent of the county's area would be placed into agricultural districts, with the residential, business and industrial districts mainly in the Warm Springs Valley and in the vicinity of Millboro and Millboro Springs.

It would also establish a board of zoning appeals which would consider appeals of rezoning decisions made by the board of supervisors.

In asking for a decision on zoning Tuesday, Chairman Cleek noted that the board of supervisors has taken no action on the ordinance in the nearly six years since it was first presented by the planners. "So far we've extended the planning commission the courtesy of neither passing nor rejecting it and I think it's high time we do something," he said.

Lowman, who with Hall has vigorously opposed any move to enact zoning, then made a motion for a referendum "to give the people a chance to speak." He said he would favor spot or strip zoning but opposed zoning the entire county.

A motion to rescind the ordinance also passed unanimously. Then May moved again to adopt the ordinance, received a second from McMullen, and the ordinance passed for a second time by a 3-2 vote, with Hall and Lowman still voting no.

Lowman said he questioned the legality of how Cleek was conducting the meeting. Cleek told him to "take your troubles to the courts. You have the right to appeal if you wish."

The zoning ordinance was debated at a public hearing Wednesday night of last week which attracted an overflow crowd to the circuit courtroom at the courthouse.

Lowman urged a referendum, but Solomon, who acted as moderator for the two-hour-long session, said a referendum would be advisory only and couldn't be binding.

Lowman and Hall then contended that only wealthy residents of the county wanted zoning and that zoning worked a hardship on less affluent citizens. "The wealthy man can get what he wants," Lowman said. "It's the little man who has to pay."

"It's your utopia and our hell," Hall said. "Just let our native people live as they can."

Their arguments were refuted by Edward T. Walters of Nimrod Hall, who warned that both the native Bath Countian with a little land and the wealthy man who has chosen Bath as an adopted home would lose if property values tumble because of undesirable development.

However, Walters said, the man of lesser means "will lose much more if his property values drop and his beautiful Bath County is no more because of rendering

three daughters, Mrs. Ernest Terry and Mrs. Kincaid, both of Bolar; four children, Raymond Doyle and Cal Doyle, both of Hot Springs; Paul Doyle of Martinsville, 23 great grandchildren, and a number of nieces and nephews.

The funeral will be conducted at 2 p.m. from Hamilton Chapel Advent Christian Church by the Rev. Bradford Burial will be in the cemetery.

The pallbearers will be Ceba W. and Calvin Kincaid, Lowmy and Tommy Terry, and friends and family will receive friends from 7 to 8 p.m. at Funeral Home, Mc-

Defensive Driver

AUCTIONEERS

Property Sale

10 a. m.

Ellet Hiner,

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Cleek, however, didn't see things that way. "We're elected to make the decisions he said, adding that "if we postpone this again, we can be here Judgment Day and we'll still be arguing about it."

Lowman's motion received a prompt second by Hall, who said, "I don't think the board knows enough about zoning to enforce it."

McMullen then called for the question, and the motion was defeated 2-3, with Hall and Lowman voting for it and Cleek, May and McMullen opposing.

May immediately moved that the zoning ordinance be adopted, with McMullen seconding the motion, which passed 3-2.

Hall and Lowman challenged the legality of the two planning commission members voting for the ordinance. Commonwealth's Atty. Erwin S. Solomon said the Code of Virginia states that one member of the board of supervisors may serve on the planning commission. It has been

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"It's your utopia and our Hall said. "Just let our people live as they can."

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However, Walters said, of lesser means "will lose more if his property value and his beautiful Bath County no more because of resorts, plants, massage parlors, house joints and other nuisances that might develop if there no controls on growth."

Other proponents of warned that if Bath does a sensible job of zoning state or federal government might do it for them. Also said, certain funds might forthcoming from the state federal governments withing.

Wednesday night's heard down in the defined mobile homes as contrast trailers and just how the of trailers or mobile homes expected to occur during construction of Vepco's parking storage project on Back should be handled if zoning enacted.

4 SUPERVISOR CANDIDATE (Continued from Page

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 a member of the commission
 since it was formed, while May
 was appointed earlier this year
 to replace Walter Farnsworth.

Solomon said he felt the planning
 commission could not have two
 members of the board of super-
 visors on it. McMullen said he
 would resign if necessary, and
 Cleek asked for a motion that
 McMullen's resignation be ac-
 cepted with regret. A motion to
 this effect passed unanimously,
 with Hall adding: "I'm glad to
 get rid of him."

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Vess, a native of
 County, is the son o
 Mrs. Lee Roy Vess S
 Clifton Forge. He is 39
 and is a 1951 gradua
 former Central High
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SPECIAL FALL SALE

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THE U. S. CORPS OF ENGINEERS was surveying the edges of Highland County and Pendleton County, W. Va. when this photo was made in late summer of 1905. The sixth man from the left is the late Richard H. Crummett Sr. of Blue Grass, who was working as the camp cook at age 18. The fifth man from the left is the late Abe Mullenax, and the fourth man from the

right is identified as the late Olen Beverage. Information with the photo says the engineering party dined on a Thanksgiving day dinner of two wild turkey hens with oyster dressing and other traditional dishes. As cook, the late Mr. Crummett was paid \$40 per month wages.





By the edge of the field, the men are standing in a line. The man on the right is holding a long wooden staff or pole. The caption is partially cut off at the bottom of the page.

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Vepco Project Outlined

WAYNESBORO - Plans for a \$499-million hydroelectric dam facility in Bath County were outlined here Monday night for the Central Shenandoah Planning District Commission.

The proposed Vepco pumped storage facility is being designed to meet peak power needs and provide an emergency power supply, explained Vepco engineer Burton Marshall.

Vepco selected the proposed site on Back Creek 30 miles southwest of Monterey after local opposition and engineering problems forced the abandonment of the original Marble Valley site, he said.

The Bath County plant as proposed would be a dual dam unit with 2,100-megawatt capability, believed by its designers to be the largest facility of its kind in the U. S.

The dams would be located on Back Creek near the hamlet of Sunrise at the northwestern corner of Bath County. Transmission lines would run from the facility to connection points at the Lexington substation to the south and the Valley substation in northern Augusta County.

Marshall said 15 permanent residents would be forced to relocate for construction of the facility. A work force of 1,500 would create a temporary impact on schools, housing and public services, he added.

Vepco has estimated that \$3.8 million would be added to Bath County revenue annually if the facility is built. No revenue estimates were given for Highland, Rockbridge, Augusta or Rockingham, the other localities served by the plant.

Marshall, using detailed maps, told commissioners the proposed plant and transmission lines have been carefully designed to eliminate significant environmental impact.



A TURN-OF-THE-CENTURY HUNTING PARTY in the Hidden Valley area of Bath County poses with its trophies for the photographer in this old picture provided by M. G. O'Farrell

of Mountain Grove. The party's success is underscored by the fact that deer were not nearly so plentiful in the early part of this century as they are today.